

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

William Henry Strickland IV,	)	C/A No. 6:11-108-JFA-KFM
	)	
Plaintiff,	)	
v.	)	ORDER
	)	
Lt. Riley; Cpt. Mcelvogue; Sheriff DeWitt,	)	
all three persons in their individual and official	)	
capacities,	)	
	)	
Defendants.	)	
_____	)	

The *pro se* plaintiff brings this action pursuant to 42 U.S.C. § 1983 alleging that while he was a pretrial detainee at the Berkeley County Detention Center, where he has been an inmate since June 2010, the defendants violated his constitutional rights. Specifically, the plaintiff alleges that he has been sleeping on a thin mattress, that he has suffered neck and back pain as a result, and that the defendants have denied him proper medical care for his back and neck pain.

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a Report and Recommendation and opines that the defendants' motion for summary judgment should be granted.<sup>2</sup> The Report sets forth in detail the relevant facts and standards of law on this

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<sup>1</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

<sup>2</sup> An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Plaintiff responded to the motion.

matter, and the court incorporates such without a recitation.

The Magistrate Judge's Report was issued and mailed on May 18, 2012. The plaintiff did not file objections to the Report. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Moreover, the envelope containing the copy of the Report was returned by the U.S. Postmaster marked "Returned to Sender. Refused. Unable to Forward."

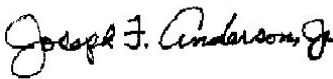
The Magistrate Judge suggests that plaintiff has not established a violation of his constitutional rights and that he has failed to present any evidence that the defendants were deliberately indifferent to his serious medical needs. The Magistrate Judge opines that the defendants are entitled to summary judgment on the constitutional claims and that the court should decline to exercise supplemental jurisdiction over any claims for relief pursuant to state law.

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, the defendants' motion for summary judgment (ECF No. 46) is granted and this action is dismissed with prejudice.

IT IS SO ORDERED.

June 21, 2012  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge